

A PLEA^(s) for limited
MONARCHY,

As it was Established in this

NATION,

Before the late **WAR.**

In an Humble Adresse to his Excellency,

Generall Moneck,

**By a Zealot for the Good Old Laws of his Country, before
any Faction or Oppressor.**

Optimo Libero, Joh. Rex, and Leg. Gubern.

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*A Plea for limited Monarchy, as it was establi-
shed in this Nation before the late War.*

In an humble Address to his Excellency, General MONCK.

S I R,

Finding, by several Letters, published in Your Name, that you profess a more then ordinary zeal to popular Government; and not knowing any thing herein, that can so mislead you, but the glorious pretence of a Free State (a notion, which hath, even, intoxicated many; (otherwise, great and worthy Persons;)) I held it my Duty, first, to acquaint you, how necessary it is, to distinguish betwixt the Form and Essence of a Commonwealth, the mistake whereof (each for the other) hath proved so fatal in our times: Next to examine, Whether those that surfeited of our Kingly Government, and longed for Novelty, have not, indeed, (like the Dog in the Fable) lost the substance of Liberty and Happiness, in pursuit of the shadow.

Our fierce Champions of a Free State will not, I presume, maintain, that it is subject to no violations, lest woful experience confute, and force them to confess, either that a Commonwealth may degenerate; or, at least, that this never was a Commonwealth: And, as they must renounce their senses, so they must deny the Faith of Story, which proves, that Republicks have been sometimes invaded with Usurpation, sometimes Debauch'd, and Embas'd with Oligarchy; mostly (by reason of their weakness, and divisions) subdued, or forced to truckle under their neighbouring Princes) alwayes tormented with faction. Neither, indeed do they, themselves offer any argument but such, as, in effect, beg the question, by presupposing great unity in the Coalition, great probity in the Intention, and great purity in the Exercise; which doubtes, being admitted, we should so little need to differ about Forms, that perhaps, we should scarce need any Government at all. The stoutest assertors of Monarchy, likewise, must acknowledge, That it, being but earthen ware, (though the finest and strongest) is subject to divers accidents; For nothing under Heaven is perfect: And when we constitute Govern-

Governments, we must not think to build Babels against the Deluge, but embank against floods, and enclose the best we can against Trespassours. This being premised, let us consider these two Governments, not Metaphysically, in notions, abstracted from their subjects, (a pastime, which our Platonicks much delight in) but morally and reasonably, as concrete, and adapted to times, places, and persons, viz. our own.

I might, perhaps decide the question, in few words, by alledging the manifest inclination of the whole people, now to Monarchy; For, *As no man can be wronged with his consent, so neither is any to be obliged against his will*; And how should a Government founded upon inequality and force, ever subsist without it? Or a State, which is the meer Adjective of an Army, become a Substantive; beginnings of this kind being so ominous? As reasonably might I object matter of Title, and forraign pretence; For the same estate, with a flaw in the Conveyance, or clogged with Statutes and Judgements, is not, surely, of like value, as if it had descended clearly from the great Grandfather, & were free both from Claims and Incumbrances; and one that hath little, yet owes nothing, is likelier to thrive than he, who owing vast sums (which he resolves never to pay) dares not walk the streets for fear of Serjeants; But my intent is, onely, to shew, that our former Government (as it excellently complied with the Laws, Genius, and Interest of this Nation) so it comprehended all the benefits of a Commonwealth, in great perfection; And this I shall doe, as briefly, as I can.

To shew how it complied with our Laws and Constitutions, let it suffice, that (Monarchy in these Nations, being more ancient then story or record, more Venerable than Tradition it self) our Laws were born (as it were) under that Climate, habituated to that ayre and dyet, grafted into that stock; and though they have (God be thanked) forgot their *Norman*, yet they will hardly learn *Greek*, much lesse *Utopian*: That, in the late Protectorours time, our Lawyers, with one voice, importuned him, rather to assume the stile and power of a KING, to which, they found, all our Laws were shaped, then retain that of Protector, unknown to the Law: That nothing hath rendered our Architectours of a Commonwealth more obnoxious, then that their infinite discords in other things, generally, agreed in the necessity of subverting all our Fundamentals, in order to

their design; which hath likewise oblig'd all sober men, and true Patriots (even the chiefest Pillars of the Parliaments Cause, in the late War) to unite themselves, with the Royal Interest, as not enduring to hear of those violent and dangerous alterations, which they see a Republick must introduce.

For its compliance with our Genius, consider, that as our English nature is not like the French, supple to oppression, and apt to delight in their pompe and magnificence of their Lord, which they know, is supported with their slavery and hunger; Nor like the High-Land Scots, where the Honour and Interest of the Chief is the glory of the whole *Clan*; so doth it, as little or less, agree with the *Dutch* humour, addicted only to Traffick, Navigation, Handy-crafts, and sordid Thrift; and (in defiance of Herakldry) every man fancying his own Scutecheon: Doth not every one amongst us that hath the name of a Gentleman, aim his utmost to uphold it? Every one that hath not to raise one? To this end do not our very Yeomen commonly leave the lands to the eldest Son, & to the others, nothing but a Flail or Plough; did not every one, that had any thing like an estate, pinch himself in his condition to purchase a knight-hood or small Patent? what need further proof? our late experience of that glympse & shadow of Monarchy, (though in persons hated, and scorned, & upon a most scandalous account) yet (for meer resemblance) admitted as tolerable, and in respect of a Commonwealth, Courtred, clearly evinces, how grateful the substance would be to Englishmen.

For our Interest, briefly (to wave tedious and politick discourses,) certain it is, that our Republicks (were it like to settle) would alarm all our Neighbors, would make our best Allies, our bitterest enemies, and (upon several accounts) probably draw upon us, the united forces of Christendome to crush the *Embryo*. Which (the Nation so being weakened, & divid d, as it is,) must evidently endanger our total oppression, or at least, to bring in the King by Conquest: Besides, by what Title shall we pretend to hold *Scotland* and *Ireland*, since that of Descent is, now avoided, and Consent we know there is none, nor, indeed, can any be expected?

I come now to assert, that our former Government, eminent y, included all the perfections of a Free State, and was the

the Kernel, as it were, of a Commonwealth, in the shell of Monarchy: First, I will begin with the essential parts of a Commonwealth, which are three, viz. The Senate proposing, the People resolving, the Magistrate executing: for the Senate or Parliament, if ever there were a free, & honourable one, it was here; where the Deputies of the whole Nation, most freely chosen, did with like freedom, meet, propound, debate and vote all matters of common interest, no danger escaped their representing; no grievance, their complaint; no publick right, their claim; or good, their demand; in all which, the least breach of Privilege was branded as a civil Sacrilege. And though there lay no appeal to the dispersed body of the people (a decision manifestly impracticable in Government, & fitter indeed for Tribunes to move, then Nations to admit) yet (elections being so popular, and assemblies frequent) the same end was attained with much more safety and convenience. The Prince had, likewise (in effect but an executive Power, which he exercised by Ministers and Officers, not onely sworn, but severely accountable: For though both he and the Lords had their Negatives in making Laws; yet (no Tax being impossible, but by consent of the Commons, nor any Law, (without it) of such validity, that the Ministers of Justice durst enforce it;) There was a wise and sweet necessity, for the King, and likewise for the Lords (who were but as grain in the royal Scale) to confirm all such Bills, as were convenient for the People, and not greatly hurtfull to the Prince; And so this Bug-bear Negative, was resolved into a mere Target, to shelter and preserve the Government from being altered at the Will of the Commons, if at any time they should prove seditious: which (being in reason manifest) hath been also confirmed by great experience: Our Kings having, rarely, obstructed any Bill, which they might safely grant; but on the other side, passed many high Acts of meer grace, circumscribing their Prerogative, and clipping its wings; nay, I could wish they had not pierced its bowels.

This was that triple Cord, which one would think, could not be broken, nor indeed was it broken, but cut a sunder: This was our Gold, seven times refined; for every bill, being twice read, debated and agreed, in either House, was at last, brought to the King, for his Royal Assent, the Mint of our Laws: a try-

all so exact, that surely, no dross could escape it; since all interests must thereto concur (As truly, it was but fit they should, in the establishment of that, which must bind them all) this was that *temperament*, which poised our humours, and at once, endued us, with health, vigour and beauty; no Vore was precipitated, no Act was huddled up; as by sad events, we have since seen, that, power being engrossed by one of the estates, purged and modelled to the Interests of a Faction; a consequence natural to such premises: (as in a ballance consisting but of one scale) nothing hath been weighed, our laws have been *Mandrakes* of a Nights growth, & our times as fickle as the weather or multitude.

The King indeed, had the Power of making War, but he had not the means; and then, it signified no more, than giving him leave to flye, if he could get wings; or to go beyond Sea so he went without shipping: he had a Sword, but he (alone) could never draw it; for the Trained-Bands were a Weapon, which he (decently) wore, but the Nation, only, could use: He chose his Ministers, (as who doth not his servants?) But alas, he was accountable for them, to the Triennial Parliament, which none but the soundest Integrity could abide: He could hinder the stroke of Justice with his Pardon (though still, the jaws not being muzzled, it would bite terribly.) But certainly, it was great wisdom, rather, to give way; since (with his own scandal) he could afford offenders but a lame and scurvey Protection; and since the Power of relieving his Wants rested in the Commons, to ballance his Will, & oblige him to a correspondence with Parliament.

That his Person should be most Sacred, it was but needful: to avoid circulation of contempt; reasonable, since it carries with it, the Consent of Nations; Just, that he should not be the meer Bur of Faction and Malice, in worse condition, than the basest of Vassals; Honourable, that the nakedness of Government might not be daily uncovered; Wise, in the constitution, not at once, to trust and provoke, by forcing him to shift for his own Indemnity, no danger to the Publick (seeming so extream, as the Outlary of a Prince; no task by daily experience, so difficult, as the arraigning of any Power, whether Regal or Popular; And since we make golden Bridges, for flying enemies, much more may we afford them to relenting Sovereigns; (upon which account, in our neighbour Kingdom of France, even Princes of the blood are not subjected to capital Punishments;) Finally, very safe, in the consequent, for (being (by the danger, threatening his corrupt Ministers) in all probability, stript of Agents) his personal impunity might, well, signifie somewhat to himself, but nothing to the People.

A Revenue he had, for the support of his State and Family, ample; for the ordinary Protection of his People, sufficient; but for any undertaking, defective; and for publick oppression, so inconsiderable, that when Prerogative was most rampant, our greatest Princes (and some doubtless, we have had, the most renowned Warriours of their Ages) could never prudently aspire to make themselves sole Legislators, nor presumed to maintain *Red-seats* in times of Peace. If any object, as some, concerned, are ready enough) that Kingly Power could here, no longer, subsist, for want of Revenue; It is easily answered, That a King of *France*, indeed, could not, & God forbid, he should; but a King of *England* might, and (for ought I see) still may (the sale of Crown Lands, which exceeded not the value of 10000 *l.* per ann. being, methinks, no matter of utter ruin, but rather of easie compensation.) For the Publick revenue was proportioned to the maintenance of Courts, not Camps and Fleets; a Gentleman of reasonable estate may live well on his Rents; but then, it is not convenient, he should keep Wenches, or hangers on, nor build, nor study Chymistry; In fine, the Revenue was very competent for ordinary disbursements; as for extraordinary, if he resorted to Parliaments, the wiser he, the safer and happier, we.

I desire all our Projectours of Commonwealths, to contrive greater freedom for their Citizens; then is provided by *Magna Charta*, and the *Petition of Right*; or shew us, that it is not much easier to violate, than to mend them: For, thereby our Lives, Liberties, and Estates were, under Monarchy secured, and established, I think, as well as any thing, on this side Heaven: It were no solocisme to say, the subject had his Prerogative, as well as the King; and here I am, he was in as good (if not better) condition to maintain it, the dependance being lesse on his side: Liberty was no lesse sacred then Majesty; *Noli me tangere*, was likewise its Motto; And in case of any, the least infringement (as escapes in Government may happen even in the most perfect;) it was resented, as if the Nation had received a box on the Ear; if it be, as they say, the glory of a Free-State, to exalt, the scandal of ryanity, to Embase our Spirits; doubtless, this was our onely Commonwealth: for ever since, me thinks, we have learned quietly to take the Bostonade.

I wish we now could, or could ever hope, under our Common wealth (what ever promises may be made us) so perfectly to distinguish the Legislative from the Ministerial Authority, as once we did; when the House of Commons had not the power of a *Cours Lcet* to give an Oath, nor of a Justice of the Peace, to make a *Mittimus*: Which distinction, doubtless, is the most vitall part of Freedom, and far more considerable to poor Subjects, than the pretended Roration; as on the contrary, the confusion of them is an accomplishment of servitude; for which the best Republicks, I fear, have more to answer, then any limited Prince can have: Certain, it is, that as our King in his personal capacity, made no Laws, so neither did he, by himself, execute or interpret any: No Judge took notice of his single Command, to justify any Trespasse; no, nor so much, as the breaking of an hedge; his Power was limited by his Justice, he was (equally, with the meanest of his Subjects) concerned in that honest Maxime, *We may doe just so much and no more, than we have right to doe*; And it was most properly said, *he could do no wrong*; because if it were wrong, he did it not, he could not do it; it was void in the Act punishable in his Agent: his Officers, as they were alike liable, so perhaps, they were

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were more obnoxious to indictments and suits, than any other, by how much their trespass seemed to be of a higher nature, and gave greater alarm: his private Will could not countermand his Publick; his privy seal, ever buckled to the great Seal, as being the Nations, more than his; his order superseded no Proccesse, and his displeasure threatened no man with an hours imprisonment, after the return of *Exeat corpus*; an under-Sheriffe was more terrible, a Constable more swayer, a Bailiff more troublesome than he: & yet by his gentle authority, this scabbard or *Procurator* (as some in detestation, have called it) which if it would could scarce oppress an Orphane, tumult was curbed, faction moderated, usurpation forestalled, Interests preserved, perpetuities obviated, Equity administered, Clemency exalted, and the people made, oney nice and wanton with their hapiness, as appears by their (now *Compassion*) railing for that Maniah, which they so causelessly) loathed.

To Conclude, what shall I add? The Act, enjoining the Keepers of the Great Seal, under pain of High Treason, to summon a Triennial Parliament, of course, by virtue of the Act, without further Warrant; The Act, forbidding the Privy Council, under like penalty, to intermeddle with *Magna Charta*; the Lawes abolishing the *Star-Chamber*, *High-Commission*, &c. Branding all past, and bridling all future enormities; the Statutes limiting the Kings Claims, and relieving his Tenants from exaction of Forfeitures; Besides many other principal immunities, wherewith (by the special favour of God, and bounty of our Princes) we were blessed, farre beyond any of our Neighbours; Above all, our assurance, that we might readily, have obtained such further addition and perfection of Liberty (if, yet, any such there were) as would consist with modesty, or liberty is self to aske: Do they not, aloud, proclaim, that we were then, the mirror of Governements, envy or Monarchies, and shame of Commonwealths; who could not but blush, to see themselves so eclipsed and silenced, in all their pretences to Freedom? Do they not more than justify my assertion, That with all the Ornaments of the noblest Kingdome, we had likewise, all the enjoyments of the freest State.

FINIS.